

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

MILTON H. FRIED JR., *et al.*,
Plaintiffs,

v.

SENSIA SALON, INC., *et al.*,
Defendants.

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CIVIL ACTION NO. 4:13-cv-00312

ORDER

On October 23, 2013, Plaintiffs Milton H. Fried, Jr. (“Fried”) and Richard Evans (“Evans,” and together with Fried, “Plaintiffs”) filed a Motion for Entry of Default Judgment Against Defendant Textmunications, Inc. [Doc. # 76] (“Motion for Default”). Defendant Textmunications, Inc. (“Textmunications”) was served with Plaintiffs’ Third Amended Class Action Complaint for Injunction and Damages [Doc. # 35] on August 12, 2013 [Doc. # 57]. Textmunications has not filed an answer to the complaint or responded to the Motion for Default. Accordingly, it is hereby

ORDERED that Plaintiffs’ Motion for Entry of Default Judgment Against Defendant Textmunications, Inc. [Doc. # 76] is **GRANTED**. A hearing on damages will be postponed until the Federal Communications Commission has opined on the issues referred to it under the doctrine of primary jurisdiction.

SIGNED at Houston, Texas, this 27th day of **November, 2013.**



Nancy F. Atlas
United States District Judge